

**United States Court of Appeals**  
**FOR THE EIGHTH CIRCUIT**

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No. 02-3917

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Oscar D. Heffner,

Appellant,

v.

State of Missouri; Missouri Supreme  
Court; Missouri Court of Appeals,  
Eastern District of Missouri; James R.  
Dowd, Chief Judge of the Missouri  
Court of Appeals; Pecola Pendleton,

Appellees.

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Appeal from the United States  
District Court for the  
Eastern District of Missouri.  
[UNPUBLISHED]

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Submitted: May 20, 2003

Filed: May 23, 2003

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Before WOLLMAN, FAGG, and HANSEN, Circuit Judges.

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PER CURIAM.

Oscar D. Heffner appeals from the district court's<sup>1</sup> dismissal of his civil rights complaint. Upon de novo review, we conclude that dismissal of Heffner's claims

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<sup>1</sup>The Honorable Rodney W. Sippel, United States District Judge for the Eastern District of Missouri.

against the state defendants was proper for the reasons stated by the district court. We also conclude that dismissal of Heffner's claims against Pecola Pendleton was proper because Heffner did not allege that she violated his federal rights or that she acted under color of state law. See Hott v. Hennepin County, 260 F.3d 901, 905 (8th Cir. 2001).

The judgment is affirmed. See 8th Cir. R. 47B.

A true copy.

Attest:

CLERK, U.S. COURT OF APPEALS, EIGHTH CIRCUIT.